

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

ARGHAVAN LOUHGHALAM and
MAZDAK POURABDOLLAH TOOTKABONI

Plaintiff-Petitioners,

FATEMEH YAGHOUBI MOGHADAM,
BABAK YAGHOUBI MOGHADAM,
ALI SANIE, ZAHRASADAT MIRRAZI
RENANI, LEILY AMIRSARDARY, and
OXFAM AMERICA, INC.

Plaintiffs,

and

No.17.cv-10154-NMG

COMMONWEALTH OF MASSACHUSETTS
and UNIVERSITY OF MASSACHUSETTS,

Plaintiff-Intervenors,

v.

DONALD TRUMP, President of the United
States; U.S. DEPARTMENT OF HOMELAND
SECURITY ("DHS"); U.S. CUSTOMS AND
BORDER PROTECTION ("CBP"); JOHN
KELLY, Secretary of DHS; KEVIN K.
MCALEENAN, Acting Commissioner of CBP;
and WILLIAM MOHALLEY, Boston Field
Director, CBP,

Defendants.

DECLARATION OF MICHAEL F. COLLINS, MD

I, Michael F. Collins, MD, on oath do say as follows:

1. I am a physician, duly licensed to practice medicine in the Commonwealth of Massachusetts (1982), and Board certified by the American Board of Internal Medicine (1984).
2. Since June of 2007, I have served as Senior Vice President for the Health Sciences for the University of Massachusetts (University) and Chancellor of the University of Massachusetts Medical School (UMMS) in Worcester, Massachusetts. As the Senior Vice President, I am charged with leading strategic initiatives to strengthen the University's efforts in the life and health sciences and to engage more fully with the

Commonwealth's innovation economy. As Chancellor of UMMS, I serve as the chief executive officer of the UMMS enterprise and provide strategic leadership to the institution's continuing efforts to distinguish itself as a premier academic health sciences center of national and international distinction.

3. I am aware that on January 27, 2017, President Trump signed an Executive Order entitled "Protecting the Nation from Foreign Terrorist Entry Into the United States" relating to visa issuance, screening procedures, and refugees coming to the U.S.
4. Following the issuance of this Executive Order, I established the UMMS Task Force on Immigration and charged the Task Force to investigate and detail the potential issues that may adversely impact UMMS resulting from this Executive Order.
5. As part of this investigation, the Task Force and I spoke with a variety of Departments and Offices at UMMS, including but not limited to the following: Office of Human Resources, Immigration Services Office, Graduate Medical Education Office, and Graduate School of Biomedical Sciences.
6. With respect to our Graduate Medical Education program, by no later than February 22, 2017, UMMS Program Directors must submit their "ranking" of potential new Residents to work at UMMS. The nation-wide "match" of all Residents to all Medical Schools occurs on March 17, and new Residents are expected to commence work on July 1, 2017. UMMS Program Directors are currently considering ranking Residents from one or more of the countries designated in the Executive Order (Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen).
7. If the UMMS Program Directors rank a Resident from one of these seven countries, and this person ends up "matching" with UMMS, our campus is obligated to offer that person an employment agreement. If, as a result of the Executive Order, it turns out this person is not able to enter the U.S., we would be left with an open "Resident" slot, and we would have to apply for a match waiver from the National Resident Matching Program (NRMP).
8. Even if such a waiver is eventually provided by the NRMP, it would put UMMS in the very difficult position of trying to hire a Resident from the pool of individuals who did not match anywhere else. Further, if such a potential waiver is not immediately provided (awaiting the future efficacy and implementation of the Executive Order), it may result in the Resident not being able to commence work by July 1, 2017, which would be a significant hardship to the future Resident, UMMS, as well as our clinical partner, UMass Memorial Medical Center, which relies on Residents as part of their patient care workforce.
9. UMMS hires many post-doctoral employees to work in our very large and important research enterprise. Currently, UMMS has two employment offers extended and accepted by post-doc candidates, both of whom are from one of the seven designated countries. These two individuals are currently waiting for visas to be approved, which will take a minimum of 90 days. However, as a result of the Executive Order, it is

unknown whether they will be able to travel to the U.S. at all. Our research labs depend greatly on the work performed by post-docs to timely and satisfactorily complete critical projects and studies, many of which are grant funded. UMMS is not in a position, financially or grant-wise, to have a shortfall in available post-docs.

10. UMMS is currently interviewing graduate students who have applied to matriculate at the UMMS Graduate School of Biomedical Sciences beginning in the fall of 2017. Three individuals from the seven designated countries are in the process for Skype interviews. Any offers to these individuals would occur in the coming weeks, and visa documents would be sent out in May, 2017. UMMS cannot afford to make an offer to a graduate student who is unable to travel to the U.S.
11. UMMS employees with the following forms of work authorization (H1B, F1 OPT, TPS, etc.) must regularly obtain extensions from the U.S. Citizenship and Immigration Services (USCIS – a division of the Department of Homeland Security – DHS), which entity requires an adjudication of a person’s status. UMMS understands that as of January 30, 2017, DHS adjudicators are not to take final action on any petition or application where the applicant is a citizen of [one of the seven designated countries] for 90 days. This policy decision will result in overly lengthy delays in obtaining the necessary extensions for our employees. Although UMMS can use “premium processing” for H1B petitions (only) to hopefully lessen the length of the delay after final adjudication has occurred, this costs \$1,225 more than regular processing.
12. UMMS employees who are working under an Employment Authorization Document (EAD) and who may need an extension of same must also go through a formal adjudication by the USCIS. This means EAD extensions for those employees from the seven designated countries will be delayed for the same reason stated above in number 11 – for both new hires and existing employees. Without an approved EAD, the individual cannot continue to be employed and may have to leave the U.S. Currently, this will affect one of our employees, and potentially more, if the Executive Order continues or if UMMS wishes to hire other recent graduates from the seven designated countries.
13. As detailed in the press and media, travel by any UMMS employee, faculty member or graduate student, who was born in one of the seven designated countries, will have difficulties, delays and possible detention if they attempt to enter the U.S. (excepting those States that have obtained temporary restraining orders for their ports of entry, which currently includes Boston). If anyone is delayed or detained and they are unable to return to work at UMMS on their assigned date, it may require them to use personal, vacation and/or unpaid time. Further, those of our faculty members who are now in the U.S., but who are from the seven designated countries, are considering cancelling travel to scientifically significant conferences and meetings because of the probability they will not be able to re-enter the U.S.
14. The Executive Order eliminates easy visa renewal for everyone (not just for those from one of the seven designated countries). A person’s visa stamp (needed for entry into the U.S.) may be for a shorter period of time than their underlying visa status. In the past, if

such an individual wanted to travel and their stamp had expired, they could promptly obtain a new visa stamp through the mail, since their same underlying visa status was still in effect. Under the Executive Order, easy visa extensions are no longer allowed, and instead there must be a formal interview and review. UMMS has a large population of employees who are Indian, Chinese or European nationals, and the Executive Order will adversely impact them significantly. Where in the past, one could travel and return in a couple of weeks, this may now take several months.

15. UMMS' Immigration Services Office has data on everyone at UMMS who has had some immigration/visa status during their employment. However, we don't have such data on those individuals who were permanent residents or U.S. citizens at the time of their hire but who were born in one of the seven designated countries. Accordingly, we are not able to definitively state the number of employees and faculty members potentially adversely impacted by the Executive Order.

I declare under penalty of perjury that the foregoing is true and correct.

Michael.F. Collins
Michael.F. Collins (Feb 2, 2017)

Michael F. Collins, MD
Senior Vice President for Health Sciences,
University of Massachusetts, and
Chancellor, University of Massachusetts Medical School

Executed this ____ day of February, 2017

Feb 2, 2017

Signature: Michael.F. Collins
Michael.F. Collins (Feb 2, 2017)

Email: michael.collins@umassmed.edu

Title: Senior Vice President for the Health Sciences

Company: University of Massachusetts